

01 FILED  
 02 LODGED  
 03 ENTERED  
 04 RECEIVED  
 05 MAR 2 2007  
 06 AT SEATTLE  
 07 CLERK U.S. DISTRICT COURT  
 08 WESTERN DISTRICT OF WASHINGTON  
 09 DEPUTY


UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF WASHINGTON  
 AT SEATTLE

05 MZEE BARAKA HARRIS, ) CASE NO.: C06-0954-JLR-MAT  
 06 )  
 07 Petitioner, )  
 08 )  
 09 v. ) ORDER DENYING § 2254 PETITION  
 10 ) AND DISMISSING ACTION WITH  
 11 BENEDICT MARTINEZ, ) PREJUDICE  
 12 )  
 13 Respondent. )  
 14 )

11 The Court, having reviewed petitioner's federal habeas petition, respondent's answer  
 12 thereto, the Report and Recommendation of the Honorable Mary Alice Theiler, United States  
 13 Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and  
 14 ORDER as follows:

- 15 (1) The Report and Recommendation is adopted;  
 16 (2) Petitioner's federal habeas petition (Dkt. No. 1) is DENIED and this action is  
 17 DISMISSED with prejudice; and  
 18 (3) The Clerk shall send copies of this Order to all counsel of record and to the  
 19 Honorable Mary Alice Theiler.

20 DATED this 2<sup>ND</sup> day of March, 2007.

21   
 22 JAMES L. ROBERT  
 United States District Judge

ORDER DENYING § 2254 PETITION AND  
 DISMISSING ACTION WITH PREJUDICE  
 PAGE -1

06-CV-00954-ORD